

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON  
PORTLAND DIVISION

CITY OF FORT COLLINS,

Plaintiff/Counterclaim Defendant,

v.

OPEN INTERNATIONAL, LLC,

Defendant/Counterclaim Plaintiff,

OPEN INVESTMENTS, LLC,

Defendant.

Civ. No. 3:25-mc-155

GARNISHEE RESPONSE

The Writ of Garnishment was delivered to me on the 10th day of March, 2025.

The following responses are accurate and complete as of that date.

**PART I: DEBTOR'S PROPERTY (GENERALLY)**  
(ALL GARNISHEES MUST FILL OUT THIS PORTION OF THE RESPONSE)

Place a check in front of all the following statements that apply. You may need to check more than one statement.

\_\_\_\_\_ I have discovered that a voluntary or involuntary bankruptcy petition has been filed by or on behalf of the Debtor after the date shown on the face of the writ as the date on

which the judgment was entered against the Debtor or after the debt otherwise became subject to garnishment. (You need not complete any other part of this response, but you must sign the response and deliver it in the manner specified in Step 2 of the Instructions to Garnishee form.)

\_\_\_\_\_ I do not employ the Debtor, I do not have in my possession, control or custody any personal property of the Debtor, and I do not owe any debts or other obligations to the Debtor.

\_\_\_\_\_ I employ the Debtor. (You must complete Part II of this response.)

\_\_\_\_\_ I have in my possession, control or custody garnishable money that belongs to the Debtor (other than wages), or I owe a debt or other obligation to the Debtor (other than wages) that is due as of the time of this response. I am forwarding this money, or enough of it to satisfy the garnishment, to the Garnishor.

X \_\_\_\_\_ I owe a debt or other obligation to the Debtor (other than wages) that was not due as of the time of this response but will become due within 45 days after the writ was delivered to me. I will forward the money, or enough of it to satisfy the garnishment, to the Garnishor when the debt or other obligation becomes due.

X \_\_\_\_\_ I owe the following debt or other obligation to the Debtor (other than wages) that will not become due within 45 days after the date that the writ was delivered to me. I will not make any payments on the debt or obligation until I receive instructions from the Sheriff or until 30 days have passed from the date on which I deliver this response. (See Instructions to Garnishee form.)

See Attachment A

\_\_\_\_\_ I have in my possession, control or custody the following personal property (other than money) that belongs to the Debtor. I will hold all of the property for the Garnishor until I receive instructions from the Sheriff or until 30 days have passed from the date on which I deliver this response. (See Instructions to Garnishee form.)

\_\_\_\_\_ I may owe money to or hold property of the Debtor, but I am not sure what or how much it might be. (You must provide an explanation in the following space and you must deliver an amended response when you find out. You must deliver an amended response even if you find out that you have no property of the Debtor or owe no money to the Debtor.)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
(FINANCIAL INSTITUTIONS ONLY) We hold one or more accounts for the Debtor, of which \$ \_\_\_\_\_ is not subject to garnishment under ORS 18.785. We are forwarding all other garnishable amounts, or enough of it to satisfy the garnishment, to the Garnishor.  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_ The writ of garnishment delivered to me, on its face, does not comply with the Oregon laws governing writs of garnishment, or I cannot determine the identity of the Debtor from the information in the writ. (You must provide an explanation in the following space.)  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_ I have received an order to withhold income that applies to the income of the Debtor. The order to withhold income has priority over the writ of garnishment, and compliance with the order will reduce or eliminate the money that I would otherwise deliver under the writ. (Provide details, including the name of the agency serving the order to withhold income, the date the order was served on you and the amount to be withheld. If you employ the Debtor, you must still complete Part II of this response.)  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_ I have received notice of a challenge to the garnishment. I will deliver to the court administrator all money that I would otherwise deliver to the Garnishor. (See Step 3 of Instructions to Garnishee form.)  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

  X   Other (Explain)  
      See Attachment A  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**PART II: DEBTOR'S EMPLOYER**

(GARNISHEES WHO EMPLOY THE DEBTOR MUST FILL OUT THIS PORTION OF THE RESPONSE)

Place a check in front of all the following statements that apply. You may need to check more than one statement.

NOTE: THE LAW PROHIBITS DISCHARGE OF THE DEBTOR FROM EMPLOYMENT BY REASON OF GARNISHMENT.

\_\_\_\_\_ I employ the Debtor. The Debtor is paid on a \_\_\_\_\_ (insert "weekly," "monthly" or other pay period). Wages will next be payable to the Debtor on the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_. I will complete a Wage Exemption Calculation form for each payment of wages that is made during the 90-day period immediately following the date that the writ of garnishment was delivered to me. I will also complete a Wage Exemption Calculation form for the payday immediately following the end of the 90-day period. I will forward to the Garnishor on each of these occasions those wages calculated to be subject to garnishment, or enough of those wages to satisfy the garnishment.

\_\_\_\_\_ I had already received a writ of garnishment from another Garnishor before this writ was delivered to me. Under Oregon law, the previous writ has priority. The previous writ will terminate on the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

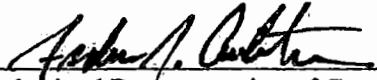
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I hereby certify that I have fully and accurately completed this garnishee response.

Dated this 17th day of March, 2025.

Tualatin Valley Water District

Name of Garnishee



Authorized Representative of Garnishee

1850 SW 170th Avenue, Beaverton, OR 97003

Address

## ATTACHMENT A

Tualatin Valley Water District has a contract with Open International, LLC ("Open") dated October 15, 2020, whereby Open provided its software system that includes a Customer Information System and Customer Relationship Management, Customer Self Service and Batch Scheduler as part of TVWD's meter to cash processes. Open currently provides services under the Operations Statement of Work. Open sends monthly invoices to TVWD for payment, usually arriving around the third day of each month. The invoice includes a fixed amount of \$58,295 for Services as a System ("SaaS"). The invoice, or a separate invoice, will include varying amounts for Open for project support fees depending on the amount of time and materials expended by Open employees for the TVWD system application.

TVWD received an invoice on March 3, 2025 for \$66,532 and paid that amount to Open on March 7, 2025. The writ of garnishment was served on March 10, 2025. If the usual invoice cycle occurs, TVWD should receive the next invoice from Open around April 3, 2025, estimated to be \$58,295. TVWD also expects to receive from Open, during the month of March, an invoice in the amount of \$85,767 for support services. For invoices received after the 45-day period, TVWD will withhold payments due thereon subject to further direction from the Sheriff or Court.